

# RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 14, 2013

Held

20

Mayor Lecklider called the Monday, October 14, 2013 Regular Meeting of Dublin City Council to order at 6:30 p.m. at the Dublin Municipal Building.

## ADJOURNMENT TO EXECUTIVE SESSION

Mayor Lecklider moved to adjourn to executive session to discuss land acquisition matters (to consider the sale or purchase of property for public purposes), legal matters (to confer with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action), and collective bargaining matters (preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment).

Vice Mayor Salay seconded the motion.

Vote on the motion: Ms. Chinnici-Zuercher, yes; Vice Mayor Salay, yes; Mr. Gerber, yes; Mayor Lecklider, yes; Mrs. Boring, yes; Mr. Reiner, yes.

The meeting was reconvened at 7:15 p.m.

## PLEDGE OF ALLEGIANCE

Mr. Reiner led the Pledge of Allegiance.

## ROLL CALL

Council members present were Mayor Lecklider, Vice Mayor Salay, Mrs. Boring, Ms. Chinnici-Zuercher, Mr. Gerber and Mr. Reiner. Mr. Keenan was absent (excused). Staff members present were Ms. Grigsby, Mr. Smith, Ms. Crandall, Ms. Mumma, Mr. McDaniel, Lt. DeJarnette, Ms. Ott, Ms. Burness, Mr. Hammersmith, Mr. Hahn, Mr. Wagner, Mr. Thurman, Ms. Nardecchia and Ms. Migliore.

## SPECIAL PRESENTATION/PROCLAMATIONS

- "Bicycle Friendly Community" Award from League of American Bicyclists

Mayor Lecklider noted that this designation makes Dublin the sixth community in the state of Ohio to be named a Bronze Level Bicycle Friendly Community. The other cities are Cleveland, Columbus, Cincinnati, Dayton and Westerville. On behalf of City Council, he thanked Tom Merritt, former Chair of the Bicycle Advisory Task Force Chair, and the Task Force members for their 20 plus months of research, discussion and development of comprehensive recommendations adopted by Council. He also thanked Council Member Reiner for serving as Council representative to the Task Force and for his efforts to initiate the Task Force. He acknowledged the Bicycle Ambassadors for their continued efforts in maintaining a presence on the City bike paths. Many Task Force members and Ambassadors are present tonight. Mayor Lecklider read the proclamation, declaring Friday, October 18 as "Bicycle Friendly Community Day" in the City of Dublin and presented it to Tom Merritt.

Mr. Merritt thanked Council for the recognition, and invited members of the Task Force and Bicycle Ambassadors to stand to be recognized. He thanked Council for being responsive to the community in establishing the task force, and for being receptive to the recommendations made, funding the many initiatives recommended. He presented the City with signage designating Dublin as a "Bicycle Friendly Community."

Mr. Reiner thanked Council for their support of this initiative. He thanked the Task Force for their hard work in planning the completion of the bikeway system throughout the City. Many of the connections are programmed within the next four years of the Capital Improvements Plan. Their work will help to ensure the safety of those who cycle on the paths and roadways in Dublin.

# RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 14, 2013

Page 2 of 8

Held

20

Ms. Crandall echoed her appreciation to the Task Force and Bicycle Ambassadors. She acknowledged the contributions of staff members who have been key in the City receiving this designation, including Mime Migliore who assembled and worked on the submittal; Christine Nardecchia who led a cross-divisional team to develop the Bicycle Ambassador team, now comprised of 40 members; and Corporal Kevin Keiffer and Corporal Renae Rice who have supported the training of the Bicycle Ambassadors. She thanked Council for their support of the capital and operating budget items related to this effort.

## CITIZEN COMMENTS

There were no comments from citizens.

## CONSENT AGENDA

Mayor Lecklider noted that six items are proposed for action on the consent agenda. He asked whether any Council member requests removal of an item for further consideration under the regular agenda.

Hearing none, Mayor Lecklider moved approval of the six items on the consent agenda.

Mr. Gerber seconded the motion.

Vote on the motion: Vice Mayor Salay, yes; Mayor Lecklider, yes; Mr. Reiner, yes; Ms. Chinnici-Zuercher, yes; Mrs. Boring, yes; Mr. Gerber, yes.

- Approval of Minutes of Regular Meeting of September 23, 2013
- Notice to Legislative Authority of New D2 liquor permit for Ephesus Grill LLC, 6720 Perimeter Loop Road
- **Resolution 58-13 (Introduction/vote)**  
Authorizing the City Manager to Enter into an Agreement with the City of Columbus for Water Line Locating Services for 2014.
- **Resolution 59-13 (Introduction/vote)**  
Accepting the Lowest and Best Bid for the Scioto Park Restroom Replacement Project.
- **Resolution 60-13 (Introduction/vote)**  
Accepting the Lowest and Best Bid for Road Salt.
- **Ordinance 78-13 (Introduction/first reading)**  
Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire 4.39 Acres, More or Less, Fee Simple Interest from John H. Kilbury. (Second reading/public hearing October 28 Council meeting)

## **SECOND READING/PUBLIC HEARING/VOTE - ORDINANCES**

### **Ordinance 77-13**

**Authorizing the City Manager to Enter into a Five-Year Extension of the Lease Agreement with the Dublin Chamber of Commerce for the City-owned Property at 129 S. High Street.**

Ms. Mumma stated that the Chamber of Commerce leases City-owned property at 129 S. High Street. They originally entered into a 20-year lease agreement with the City in 1988; in 2008, an appraisal of the property was completed and after negotiations, a five-year lease agreement was established. The 2008 appraisal indicated that the market value was \$12 per square foot, and provided for discounts for City use as well as public use of the facility. The City recently obtained an updated appraisal of the property, which indicated that the market rate is consistent with that in place for the 2008 agreement. Staff is recommending that Council maintain the lease rate at \$25,200 annually (\$2,100 monthly) for the upcoming five-year period with the Dublin

# RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 14, 2013

Page 3 of 8

Held

20

Chamber of Commerce. Staff has worked with Ms. Amorose, Executive Director, and she is present this evening.

Mayor Lecklider invited Ms. Amorose to comment.

Margery Amorose, Executive Director, Dublin Chamber of Commerce stated that they are interested in renewing the lease, adding that the Chamber has been at this location since 1988.

Vote on the Ordinance: Mr. Reiner, yes; Vice Mayor Salay, yes; Mayor Lecklider, yes; Mr. Gerber, yes; Ms. Chinnici-Zuercher, yes; Mrs. Boring, yes.

Vice Mayor Salay thanked Ms. Amorose and the Chamber for all the work they do in the community. She has heard many positive comments from new business owners about the benefits of their membership in the Chamber.

## **Ordinance 79-13**

**Appropriating a 1.836 Acres, More or Less, Fee Simple Interest; a 0.673 Acres, More or Less, Utility Easement; and a 0.088 Acres, More or Less, Temporary Construction Easement from the Thomas Family Limited Partnership.**

Mr. McDaniel stated that dialogue continues with the family for the purchase of this property, which is related to the construction of Emerald Parkway Phase 8 – the final leg of the roadway. The property owner did grant the City a right of entry so that construction-related activity could begin. The bidding for the project will take place in November, and staff plans to bring the bids to Council for approval in December.

Vote on the Ordinance: Ms. Chinnici-Zuercher, yes; Mr. Gerber, yes; Mr. Reiner, yes; Vice Mayor Salay, yes; Mrs. Boring, yes; Mayor Lecklider, yes.

## **Ordinance 80-13**

**Appropriating a 0.300 Acres, More or Less, Fee Simple Interest with a 0.234 Acres, More or Less, Encumbered as Present Road Occupied from the Thomas Family Limited Partnership.**

Mayor Lecklider asked if there is a request for emergency action, based on the document language.

Ms. Grigsby responded that staff is not requesting emergency passage of the ordinance.

Vote on the Ordinance: Mr. Reiner, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Vice Mayor Salay, yes; Mr. Gerber, yes; Mayor Lecklider, yes.

## **INTRODUCTION/PUBLIC HEARING/VOTE – RESOLUTIONS**

### **Resolution 61-13**

**Intent to appropriate a 1.437 Acres, More or Less, Fee Simple Interest from Peace Hanson LLC for the Purpose of the Realignment of Riverside Drive.**

Vice Mayor Salay introduced the resolution.

Ms. Grigsby stated that, as noted in the staff memo, this relates to the acquisition of 6570 Riverside Drive – a property needed for the future realignment of Riverside Drive. This project was included in the five-year CIP adopted by Council in September. The property is needed for that relocation and staff continues to have good discussions with the property owner. Mr. Foegler spoke with the property owner last week and advised them that this resolution of intent was scheduled for tonight. After the resolution is adopted, staff will send a Notice of Intent and good faith letter offer to the property owner, as required as part of the eminent domain process. Staff is hopeful that an agreement regarding price can be reached with the property owner. This action provides formal notice to the property owner and is important for this

# RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 14, 2013

Page 4 of 8

Held

20

business, which needs to relocate. It also places the City in a position to be ready to begin the project, once the detailed design and construction contracts are ready.

Vote on the Resolution: Mr. Reiner, yes; Ms. Chinnici-Zuercher, yes; Mr. Gerber, yes; Vice Mayor Salay, yes; Mrs. Boring, yes; Mayor Lecklider, yes.

## Resolution 62-13

### **Intent to Appropriate a 0.224 Acres, More or Less, Fee Simple Interest from Jen-Josh LLC for the Purpose of the Realignment of Riverside Drive.**

Vice Mayor Salay introduced the resolution.

Ms. Grigsby stated that this property, located at 6694 Riverside Drive is also needed for the road realignment. Mr. McDaniel has continued to have discussions with this property owner and they were made aware of the legislation scheduled for tonight. Staff is requesting adoption.

Vote on the Resolution: Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mayor Lecklider, yes; Mr. Gerber, yes; Vice Mayor Salay, yes.

## OTHER

- I-270/33 Interchange Aesthetics Update

Ms. Ott noted that Mr. Guion has worked with her on this project and will address Council tonight as well.

She reported the following regarding the landscape and hardscape design of the project:

- After hiring CT Consultants and the EDGE Group through a competitive selection process, three conceptual landscape design plans were presented to a stakeholders group. From that group, a preferred landscape concept was selected for advancement into intermediate design.
- Some features of this design are compelling in comparison to the other designs presented. First, it embraces the unique geometry that will be created by the final project. Second, it adds some interesting elements with its use of a grid-like pattern. In reviewing the aerials of the community, the consultants felt there was opportunity to provide some symbolism that tied to the City's roots in the final design work as well as recognize there are some contemporary elements to the design.
- From the selection committee perspective, they liked the flexibility this provided in relation to the imagery that may come forward and the bridges, parapets and retaining walls currently under development.
- She shared some of the images.
- The interchange will have over 100 acres of land, with over 50,000 square feet of retaining wall. There are nine bridges and various other elements to the infrastructure improvements. Determining how to have a signature look in this area for landscape seemed inadequate – there was a need to step beyond and look at the infrastructure elements.
- The City has engaged Steven Weitzman of Creative Design Resolutions to assist with that – both in Phase 1 for preliminary, intermediate and final design and in Phase 2 preliminary design. Mr. Weitzman met with 80 residents to garner their input on Dublin's identity and potential imagery to be captured and translated into the infrastructure of this project.
- Staff has continued to receive a great response online, with over 40 residents submitting ideas and concepts in response to questions posed about what is Dublin, what makes it unique, and what is important to the residents and the community.
- Creative Design Resolutions is currently working on three designs that will be brought back to the community in November for presentation and selection.



# RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 14, 2013

Page 5 of 8

Held

20

One of those designs must be selected by November 22 in order to move forward to intermediate design.

- She and Mr. Guion have had much discussion about how to narrow these three concepts to one and how to accomplish this in an expedited timeframe to meet the ODOT construction schedule.
- With that, they are recommending an Aesthetic Design Selection Committee be established to help garner the feedback on design elements, distill the community input from focus groups and online as well as the community response to the three concepts to make recommendation to ODOT.
- A schedule is outlined in the memo that contemplates a presentation to Council of the concepts at the November 18 meeting, and having the citizen group come up with the final recommendation to go forward to ODOT.

She asked Mr. Guion to add comments, noting she will seek direction from Council tonight on next steps.

Mr. Guion stated that he believes the Selection Committee is a great way to move forward. This is something done nationally, and not unusual for municipalities. They have outlined goals and outcomes and are set to move forward. Mr. Weitzman is a great choice and will continue to work carefully and closely as he has done in the community engagement meetings.

Mr. Reiner asked about the timeline.

Ms. Ott responded that the intermediate design needs to begin by November 22. Staff is anticipating community presentations of design concepts on November 13.

Ms. Chinnici-Zuercher commented that, given the expedited timeframe, it would be important that the people who are appointed to this Committee be from the group that has already been involved in the process.

Mrs. Boring agreed. She also attended a stakeholders' session and was impressed with the artist selected to lead this process. It is important that the Committee members have participated in these stakeholder meetings and heard the discussion.

Ms. Ott stated that staff plans to bring back recommendations for appointments at the next Council meeting.

Council was supportive of this course of action.

Mayor Lecklider thanked staff for the summary provided to Council, which captured the discussion and input offered by the stakeholder groups. He is comfortable with the direction this is headed. He added that a number of people have asked where they can view the intersection design, and he is aware it is on the website. He encouraged people to visit the website to review the planned improvements for the interchange.

- Adoption of 2014 Regular Meeting calendar

Mayor Lecklider noted that a proposed schedule was included in the Council packet. Generally speaking, Council meets the second and fourth Mondays of every month. The proposal carries that practice forward into 2014, with the exception of the months of April, May and November where the proposal is to meet the first and third Mondays. He asked about the reason for meeting the first and third in April versus the second and fourth Mondays.

The Clerk noted that the American Planning Association conference is on April 28, and two week spacing between meetings is desirable versus one week spacing between April 28 and May 5.

Ms. Grigsby noted that the May meetings are adjusted to the first and third due to the Tournament.

**RECORD OF PROCEEDINGS**  
Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 14, 2013

Page 6 of 8

Held

20

Ms. Chinnici-Zuercher noted that the graphic calendar for the entire year appears in conflict with the document listing the meeting dates in text.

Mayor Lecklider noted that another question relates to conflict with the Dublin Schools spring break in March.

Vice Mayor Salay responded that spring break week begins Monday, March 24 and that Monday, as the fourth Monday, is proposed as a Council meeting date.

Mrs. Boring added that it would be preferable for Council to meet on the second and fourth Monday meetings wherever possible so that the public is aware of regular meeting dates each month.

Mr. Gerber noted that meeting on the Monday of spring break may be problematic for some who plan to travel.

Vice Mayor Salay agreed.

Based on the discussion, the Clerk will prepare a revised proposal for the next meeting agenda.

**STAFF COMMENTS**

Ms. Grigsby:

1. Reported that the Bridge Street Community Forum is scheduled for Tuesday, October 22 at OCLC. This was mentioned at the last Council meeting and information was sent out today by the City to e-news subscribers and other interested parties. The information was distributed to Council on the dais tonight.
2. Publicly thanked City Council for the support of The Presidents Cup, which was a major event impacting work units across the City. She also recognized the City staff for their efforts over the past year in planning and programming this event, including the staff who worked on the beautification efforts for the City in preparation and the Police department who dedicated significant time to this event. She thanked Community Relations for their work throughout the year in coordinating this event on behalf of the City. The Presidents Cup was a great opportunity to showcase the community, and a great experience was enjoyed by those who participated and visited. Although the weather was not good, all other aspects of the event were outstanding. The City appreciates the partnership with the Muirfield Village Golf Club and Tournament staff who worked closely on this event with the City and the PGA.

**COUNCIL ROUNDTABLE/COUNCIL COMMITTEE REPORTS**

Mr. Gerber:

1. Stated that he was also very impressed with the staff efforts on Fore!Fest. He heard from many residents about their appreciation of this event. Thanks to staff for a job well done!
2. Asked for confirmation that the Planning & Zoning Commission recommendations for changes to the Bridge Street Code are scheduled for Council review on October 28. The Commission was charged with this task and the report was completed by the Commission last Thursday. Because not all Council members will be present for the November and December meetings, it would be advisable to have this scheduled on October 28 when all are present.

Ms. Grigsby responded that she is aware that the Commission completed their review on Thursday, and this item can be scheduled for October 28. She recalls that the previous discussion indicated the desire for this timeline.

Mr. Reiner:

**RECORD OF PROCEEDINGS**  
Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 14, 2013

Page 7 of 8

Held

20

1. Agreed with Mr. Gerber that the entire week of The Presidents Cup events was an impressive endeavor. In spite of the weather, it was exciting and was an opportunity to showcase the City to millions of people around the world.
2. Noted that the new Consul General of Japan indicated in his letter that, "It is a great joy and honor to come back to the U.S. – his favorite country." This is very positive, in view of the number of foreign posts this gentleman has held throughout the world. He also indicated that, "His aim is to create as many Japan fans as possible among the Americans." Mr. Reiner suggested that, with this in mind, perhaps the City will take the opportunity to revisit hosting of a Japanese Festival!
3. Thanked the Bicycle Advisory Task Force for their work, energy, drive and ambition, which resulted in the Bicycle Friendly Community designation. Their efforts will go a long way toward creating an environment in Dublin that will attract and retain young people. This bicycle component is a very important aspect for this group.

Ms. Chinnici-Zuercher:

1. Reported that Finance Committee met tonight for the quarterly review. She is pleased to report that the City is projecting a four percent increase in income tax revenues in 2013.
2. The Committee also reviewed recommendations for updating the City's Investment Policy. Legislation to adopt an updated Investment Policy will be scheduled for first reading at the October 28 Council meeting.
3. Noted that she serves on the MORPC Board, and the Board has recommended bylaw changes to their organization. Because the organization is membership based, the members need to approve those changes. Staff will bring forward a resolution at an upcoming Council meeting so that Council can review and adopt these changes.
4. The Ohio Municipal League recently held their fall conference. Both at MORPC and at OML, a major discussion continues to be the potential impacts of Sub. HB 5. Ms. Gibson has been very actively engaged, working closely with the state representatives on this matter. She understands that the intent of Rep. Grossman is to have a Bill that can be voted upon by the end of this calendar year. However, the actual new language has not yet been shared so that a response can be made.
5. Two documents are available in the Council conference room for Council's review. One is the Food District Campaign at Weinland Park, with which MORPC is involved. Second is the Fall 2013 MORPC Transportation Connections. This is available at the MORPC website as well. The Legislative updates from MORPC have been forwarded to Council on a monthly basis.
6. At the MORPC meeting last week, a summary was distributed of the benchmarking done by the Community Research Partners each two years. This summary compares the region with other regions and similar kinds of cities. She recommends that Dublin consider having Dr. Lynnette Cook, Director of Community Research Partners present to the City at a future date, providing the highlights of this report. This information may help shape how economic development and cultural arts might strategize for the future of individual cities as well as the region.

Mayor Lecklider added that the Finance staff indicated that the City's financial audit for 2012 will be available on the City's website this week.

Mrs. Boring:

1. Echoed Ms. Grigsby's comments regarding the entire Presidents Cup-related events – from the dedication of BriHi Square, to the Fore!Fest, to the Most Memorable Golf Moments in Dublin, to the public art golf balls, to "Playing Through." The weather was wonderful on Wednesday and Thursday evenings, but unfortunately, the weather during the matches was not. This event was a

# RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 14, 2013

Page 8 of 8

Held

20

fabulous opportunity for the City, resulted in many positive comments about Dublin and lots of fun, in spite of the rain!

2. One comment repeated by many to Council members is that the public does not want the Fore!Fest to be a one-time event. She is hopeful that staff will consider future street parties. When an event is this successful, people clearly want it to be repeated! Congratulations to staff!
3. Thanked most of the candidates for not placing political signs around the City before the Presidents Cup. There does seem to be confusion about the length of time such signs are permitted to stay in place.

Mr. Smith responded that in the past, the City restricted such signage to a 30-day period. However, the courts have held that the First Amendment rights prevail and the City cannot impose such restrictions. Most candidates have been cooperative in the past about cleaning up political signs after the election. He has discussed the guidelines for placement of signs with several candidates, as well as the need to have property owner permission to post the signs.

Vice Mayor Salay:

1. Echoed the positive comments about The Presidents Cup and the Fore!Fest. The only comment she heard repeated at the Fore!Fest was that the City should have such a street festival each year. She shared that information with staff. It was a very well received event and a wonderful time to come together as a community.
2. Noted that the Parents Encouraging Responsible Choices (P.E.R.C.) organization will host programs on Wednesday, October 23 at the DCRC – in the morning and in the evening – regarding safe relationships and dating. The specific topic is dating relationship violence abuse prevention. Many young people deal with such abuse, and the goal is to educate students and parents about this important issue and empower teens to prevent this type of damaging activity.

Mayor Lecklider:

1. Complimented everyone involved with The Presidents Cup – especially the residents, who exhibited patience throughout the course of this event. Those involved with the Memorial Tournament each year recognize that the event could not take place without the significant contribution from the residents of the community, who both attend and volunteer at the event.
2. Compliments to the staff for their outstanding work on this event. It was a community-wide effort that brought much positive national and worldwide attention to the community.

## **ADJOURNMENT**

The meeting was adjourned at 8:10 p.m.

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Mayor – Presiding Officer

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Clerk of Council